

IN THE CLAIMS

Please amend the claims as follows:

Claim 1. (Currently Amended) A dry toner prepared by a method comprising:

(A) dissolving or dispersing a toner composition in an organic solvent to prepare a toner composition liquid; and

(B) dispersing the toner composition liquid in an aqueous liquid, ~~wherein the aqueous liquid~~ which comprises:

a binder resin comprising a modified polyester (i); and

a colorant comprising a carbon black, wherein

the carbon black has a pH not greater than 7,

wherein the toner has a volume average particle diameter (D_v) of from 3 to 7 μm and a ratio (D_v/D_p) of the volume average particle diameter (D_v) to a number average particle diameter (D_p) of from 1.00 to 1.25, wherein the toner has a spindle shape;

wherein the binder resin further comprises an unmodified polyester (ii);

wherein the unmodified polyester (ii) has a peak molecular weight of from 1000 to 30000; and

wherein the unmodified polyester (ii) has a glass transition temperature (T_g) of from 35 to 55 °C.

Claim 2. (Original) The dry toner according to Claim 1, wherein the toner composition comprises a prepolymer and wherein the modified polyester (i) is formed by the prepolymer in either or both of steps (A) and (B).

Claim 3. (Original) The dry toner according to Claim 1, wherein the colorant is a master batch in which the carbon black is dispersed in a master batch resin.

Claim 4. (Original) The dry toner according to Claim 3, wherein the master batch resin is a polyester resin.

Claim 5. (Previously Presented) The dry toner according to Claim 1, wherein a weight ratio (i/ii) of the modified polyester (i) to the unmodified polyester (ii) is from 5/95 to 80/20.

Claim 6. (Previously Presented) The dry toner according to Claim 1, wherein the unmodified polyester (ii) has an acid value of from 1 to 15 mgKOH/g.

Claims 7-9. (Canceled)

Claim 10. (Previously Presented) The dry toner according to Claim 1, wherein the spindle shape has a ratio ($r2/r1$) of a minor axis particle diameter ($r2$) to a major axis particle diameter ($r1$) of from 0.5 to 0.8 and has a ratio ($r3/r2$) of a thickness ($r3$) to the minor axis particle diameter ($r2$) of from 0.7 to 1.0.

Claim 11. (Previously Presented) A dry toner comprising toner particles comprising:
a binder resin comprising a modified polyester resin; and
a colorant comprising a carbon black, wherein the carbon black has a pH not greater than 7,

wherein the toner has a volume average particle diameter (Dv) of from 3 to 7 μm and a ratio (Dv/Dp) of the volume average particle diameter (Dv) to a number average particle diameter (Dp) of from 1.00 to 1.25, wherein the toner has a spindle shape;

wherein the binder resin further comprises an unmodified polyester (ii);

wherein the unmodified polyester (ii) has a peak molecular weight of from 1000 to 30000; and

wherein the unmodified polyester (ii) has a glass transition temperature (Tg) of from 35 to 55 $^{\circ}\text{C}$.

Claim 12. (Currently Amended) A method for manufacturing a toner composition comprising toner particles according to Claim 11, comprising:

dissolving or dispersing a toner composition in an organic solvent to form a toner composition liquid;

dispersing the toner composition liquid in an aqueous liquid to prepare a dispersion;

wherein said aqueous liquid used to prepare said dispersion comprises said binder resin comprising said modified polyester resin and said carbon black which has a pH of not greater than 7.

Claim 13. (Previously Presented) A two-component developer comprising the dry toner according to Claim 1 and a carrier.

Claims 14-15. (Cancelled)

Claim 16. (Original) A toner container having therein the dry toner according to Claim 1.

Claims 17-19. (Canceled)

Claim 20. (Previously Presented) The dry toner according to Claim 11, wherein a weight ratio (i/ii) of the modified polyester (i) to the unmodified polyester (ii) is from 5/95 to 80/20.